

MINUTES FOR THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF QUOGUE, HELD BY THE BOARD OF TRUSTEES ON FRIDAY, NOVEMBER 21, 2014.

PRESENT: Mayor Peter Sartorius, Trustees Randy Cardo, Ted Necarsulmer, Kimberley Payne, Village Attorney Richard DePetris and Village Clerk Aimee Buhl.

ABSENT: Trustee Jeanette Obser

OTHERS PRESENT: Police Lieutenant Chris Isola, Fire Chief Bruce Davidson, Building Inspector William Nowak, Alexa Gorman of the Southampton Press, Dick Gardner, Frances Ryan, Joseph Kosinski, Bruce Peiffer, Cecelia Lazarescu, Katharine Peiffer, Vita Reinoso, Peter Vermynen

Mayor Peter Sartorius invited everyone to join him in the Pledge of Allegiance.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, the Minutes of Regular Meeting held on October 17, 2014 were approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, the Abstract of Audited Vouchers Schedule 11-14, \$423,190.91, General Fund and Treasurer's Report for the Month ending October 31, 2014 were approved.

\$ 77,369.70	Checking Account
\$ 602,824.17	Capital Reserves
<u>\$ 8,486,690.09</u>	<u>Investments</u>
\$9,166,883.96	Total General Fund 10/31/14

The Clerk gave the report for October 2014 False Fire and Burglar Alarms:

Burglar Billed: \$ 300; Burglar Collected: \$ 250

Fire Billed: \$ 250; Fire Collected: \$ 0

Fire Chief Bruce Davidson gave the October 2014 report for the Fire Department. Chief Building Inspector Bill Nowak gave the October 2014 report for the Building Department. Police Lieutenant Chris Isola gave the October 2014 report for the Police Department.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was Resolved, dock permit for 19 Ogden Lane tax map #14-1-24 (Malhotra) is hereby approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED the resignation of Part-Time Police Officer Mark St. John effective October 18 is hereby approved.

Upon motion made Randy Cardo, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, a budget transfer of \$1,000 from A312022a Police Electronic Equipment to A3120415 Police Navy Equipment & Maintenance is hereby approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the purchase of a 2015 Ford Expedition for use as Fire Chief's vehicle from Otis Ford for \$30,285 using funds in the Fire Department Capital Reserve Fund, subject to a permissive referendum, is hereby approved.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, an increase in the amount of \$4,286.50 to Chip's Evergreen Landscape and Lawn Care purchase order 4474 for planting street trees is hereby approved.

Upon motion made by Randy Cardo, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the adoption of the 2014-15 Standard Work Day and Reporting Resolution for Appointed Officials as follows is hereby approved:

Title	Name	Standard Work Day	Term Begins/Ends	Participates in Employer's Time Keeping System
Appointed				
Village Attorney	Richard DePetrus	6	7/1/14-6/30/15	N
Senior Bldg Inspect	William Nowak	8	7/1/14-6/30/15	Y
Ordinance Inspect	Christopher Osborne	8	7/1/14-6/30/15	Y
Village Clerk/Treasur	Aimee Buhl	7	7/1/14-6/30/15	Y
Administrative Assist	Jennifer Vargas	7	7/1/14-6/30/15	Y
Deputy Village Clerk	Denise Michalowski	7	7/1/14-6/30/15	Y
Deputy Village Treas	Amy Cosgrove	7	7/14/14-6/30/15	Y
Asst to the Mayor	Stephanie Wagner	7	7/1/14-6/30/15	Y
Court Clerk	Theresa Conway	7	7/1/14-6/30/15	Y

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the adoption of the 2014-15 Standard Work Day Resolution for Employees as follows is hereby approved.

Title	Standard Work Day
Labor Crew Leader	8
Asst Labor Crew Leader	8
Laborer	8
Custodial Aide	8
Lifeguard	8
Beach Attendant	8
Justice Court Clerk	7
Clerk	7

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the introduction of "Local Law No. ____ of 2014 amending Chapter 66 (Alarm Systems) of the Village Code" and scheduling of a public hearing to be held on Friday, December 19, 2014 at 4:00 PM is hereby approved.

Local Law No. ____ of 2014

A Local Law Amending Chapter 66
(Alarm Systems) of the Village Code

Section 1. The Board of Trustees hereby finds and determines that certain changes to the Village Code provisions regarding Alarm Systems are desirable in order to improve the administration by the Village Clerk and to update the level of fines, some of which were established in 1993.

Section 2. Section 66-5 (Permit term; effect) is hereby amended to provide for written communication by electronic mail by amending paragraph C so that it reads in its entirety as follows:

C. The Village Clerk may give written notice to holders of alarm permits regarding expiration and renewal thereof. Such written notice may be by electronic mail to persons who have provided electronic mail addresses to the Village.

Section 3. Section 66-14 (Charges for false alarms) is hereby amended as follows:

(a) Paragraphs A and B shall be amended to read in their entirety as follows:

A. All false emergency alarms, except fire:

- (1) For the first false alarm in a calendar year, no charge.
- (2) Second false alarm in a calendar year, \$50.
- (3) Third false alarm in a calendar year, \$75.
- (4) Fourth false alarm in a calendar year, \$100.
- (5) Fifth false alarm in a calendar year, \$150.
- (6) Sixth and each subsequent false alarm in a calendar year, \$200.

B. False fire alarms:

- (1) For the first false alarm in a calendar year, \$50.
- (2) Second false alarm in a calendar year, \$250.
- (3) Third false alarm in a calendar year, \$500.
- (4) Fourth and each subsequent false alarm in a calendar year, \$1,000.

(b) A new subparagraph F shall be added, which shall read in its entirety as follows:

F. Any charges under this Section that are applicable to a calendar year and remain unpaid as of the following April 1 may be added to the real estate tax bill for the applicable property, provided that the Village has served prior written notice upon the owner of such property in accordance with the following provisions.

- (1) Such notice shall inform the owner that unpaid charges applicable to a calendar year which remain unpaid as of the following April 1 may be added to the real estate tax bill for such property. Such notice shall also inform the owner as to the amount unpaid as of the date of the notice.
- (2) Such notice may be served upon the owner of such property as shown on the most recent tax assessment roll by regular mail addressed to such owner at the address shown on the most recent tax assessment roll. Such notice may be served upon the last known owner of such property by regular mail addressed to such owner at the last known address. Such notice may also be served by certified mail or by personal service.
- (3) Such notice shall be served upon the owner as set forth above not later than May 1 following the applicable calendar year.

Section 4. This local law shall become effective on January 1, 2015 or upon the filing thereof with the Secretary of State of the State of New York, whichever is later

Upon motion made by Peter Sartorius, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the introduction of “Local Law No. ____ of 2014 adding new Chapter 142 (Retail Checkout Bags) of the Village Code” and scheduling of a public hearing to be held on Friday, December 19, 2014 at 4:00 PM is hereby approved.

Local Law No. ____ of 2014

A Local Law Adding a New Chapter 142
(Retail Checkout Bags) to the Village Code

Section 1. Because the economic vitality of the East End of Long Island is inextricably linked with our natural resources, it is of utmost importance that the Village of Quogue joins its neighboring municipalities to provide ample protections to preserving the natural beauty and resources of our environment. The proliferation and dissemination of plastic shopping bags at retail establishments has resulted in the Village’s and region’s natural resources being impacted and blemished when discarded bags find their way into our waters, dunes, woods and other natural environments and litter our roads, trails, fields and playgrounds. As a result of the damage that these bags have caused and the threat of future damage they pose to the area’s environmental conditions, the Village finds it necessary to join its neighboring municipalities in restricting retail establishments from providing certain plastic bags to customers for the carrying of goods taken from their establishments and encourage the use of reusable bags.

Section 2. The Village Code is hereby amended by adding a new Chapter 142 (Retail Checkout Bags) to read in its entirety as follows:

CHAPTER 142

RETAIL CHECKOUT BAGS.

Section 142-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CHECKOUT BAG - A carryout bag that is provided to a customer at the point of sale. The term "checkout bag" does not include plastic produce bags or plastic bags measuring 28" by 36" or larger in size.

PLASTIC PRODUCE BAG - A flexible container made of very thin plastic material with a single opening that is used to transport produce, meats or other items selected by customers to the point of sale.

RETAIL SALES - The transfer to a customer of goods in exchange for payment occurring in retail stores, sidewalk sales, farmers' markets, flea markets and restaurants. The term "retail sales" does not include sales of goods at yard sales, tag sales, other sales by residents at their home, and sales by non-profit organizations.

RECYCLABLE PAPER BAG - A paper bag that is 100% recyclable.

REUSABLE BAG - A bag with handles that is specifically designed and manufactured for multiple reuse and is (1) made of cloth or other fabric, and/or (2) made of durable plastic that is at least 2.25 mils thick.

Section 142-2. Restriction on Retail Checkout Bags.

- A. Any person engaged in retail sales shall provide only reusable bags and/or recyclable paper bags as checkout bags to customers.
- B. Persons engaged in retail sales may make reusable bags available for sale to customers.

Section 142-3. Penalties for offenses.

Any person committing an offense against any provision of this chapter shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding \$1,000 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

Section 3. The Board of Trustees is authorized to establish and promulgate rules and regulations regarding protecting the Village's environment and natural resources pursuant to §10 of Municipal Home Rule Law and § 4-412(1) of New York State Village Law.

Section 4. If any section or subdivision, paragraph, clause, phrase of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 5. This local law shall take effect on April 22, 2015 or upon filing with the Secretary of State, whichever is later.

Joseph Kosinski from The East End Financial Group presented a scholarship opportunity for high school senior relatives of active fire members. The scholarship would be funded by The East End Financial Group. The Mayor and Board of Trustees thanked Mr. Kosinski for the generous offer

With no other business to discuss and upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, the meeting was adjourned at 4:30 PM.

Aimee Buhl, Village Clerk